

**Subdivision Review Board  
Monday, March 6, 2006**

Minutes of the Regular Session of the County Subdivision Review Board held in the Board of Supervisors Chambers, County Government Center, San Luis Obispo, CA, at 8:45 a.m.

**Present:** Laurie Salo (Environmental Health), Aeron Arlin-Genet (Air Pollution Control), Richard Marshall (Public Works), John Nall (Environmental Coordinator), Chairman John Euphrat (Planning and Building)

**Absent:** None

The meeting was called to order by Chairman Euphrat.

The following action minutes are listed as they were acted upon by the Subdivision Review Board and as listed on the agenda for the Regular Meeting of March 6, 2006, 2006, together with the maps and staff reports attached thereto and incorporated therein by reference.

**PUBLIC COMMENT:** No one coming forward.

**Eric Greening:** Discusses the Board of Supervisor's (BOS) approval of Blue Ribbon Committee regarding county's TDC ordinance. Applications for such discussed. Unclear who SRB representatives will be and would like two of the SRB members to apply. Discusses window of opportunity to apply. Would like Aeron Arlin-Genet to be one of the applicants and gives reasoning.

**John Nall, staff:** Addresses Mr. Greening's comments and states Mr. Marshall and Ms. Arlin-Genet have both stated they are interested in applying.

**CONSENT AGENDA**

- a. **Parcel Map CO 00-0204 (S000123P)** Request from **SOL CAMPOS JR.** for a **2nd time extension** for tentative parcel map CO 00-0204, a subdivision of an existing 88.47 acre parcel into 4 parcels of 23.81, 20.01, 20.84, and 23.81 acres each. The project is located on the north side of Highway 58, approximately 1 mile west of O'Donovan Road, approximately 8 miles east of the community of Santa Margarita, in the El Pomar planning area. APN: 043-321-064 Supervisorial District 5.
- b. **Parcel Map CO 00-0187 (S000188P)** Request from **TONY VOYLES/J.E. EDWARDS CO.** for a **3rd time extension** for a tentative parcel map CO 00-0187, a subdivision of a 29.96 acre parcel into three parcels of 7.46; 10.0; and 12.50 acres each, with approximately 21.93 acres of open space. The project is located at 2832 Branch Mill Road east of the City of Arroyo Grande in the San Luis Bay - Inland planning area. Supervisorial District 4.
- c. **Parcel Map CO 01-0188 (S000348P)** Request for a **1st time extension** from **VAUGHAN SURVEYS, INC.** for Vesting Tentative Parcel Map **CO 01-0188** to subdivide an existing 41.8 acre parcel into two parcels of approximately 20.9 acres each, in the Agriculture Land Use category. The project is located on the west side of Vista Serrano Way, approximately ½ mile north of Nacimiento Lake Dr., approximately 4.5 miles northwest of the City of Paso Robles; APN: 076-081-018, in the Adelaida Planning Area. County File No. **S000348P**. Supervisorial District: 1.

- d. **Parcel Map CO 01-0237 (S010320Q)** Request for a **2<sup>nd</sup> time extension** from the **LAND CONSERVANCY OF SAN LUIS OBISPO/JOHN HAYASHI** for Vesting Tentative Parcel Map **CO 01-237** and Development Plan, to subdivide an existing 19.5 acre parcel into three parcels of 9.0, 5.0, and 5.5 each, in the Agriculture Land Use category. The project is located at 4435 South Higuera Street, south of the City of San Luis Obispo; APN: 076-081-018, in the San Luis Obispo Planning Area. County File No. **S010320Q**. Supervisorial District: 3.
- e. **LOT LINE ADJUSTMENT COAL 03-0113 (S020389L)** Request for a **1st and final time extension** from **NORMAN & VASQUEZ ASSOCIATES** for lot line adjustment **COAL 03-0113** to adjust the lot lines between four existing lots (Lot 86 of 870 sq. ft., Lot 85 of 1308 sq. ft., Lot 84 of 1951 sq. ft., and Lot 83 of 3543 sq. ft.) which will result in the creation of three new lots (Parcel 1 of 1439 sq. ft., Parcel 2 of 1964 sq. ft., and Parcel 3 of 4269 sq. ft.) The project is located at 1584 Railroad Street, in the community of Oceano, in the San Luis Bay planning area. Commercial Service Land Use category. APN: 061-046-036. County File No. **S020389L**. Supervisorial District: 4.
- f. **Parcel Map CO 00-0008 (S990223P)** Request for a 3rd one year time extension from the applicant **MARGARET CROFTS/LEONARD LINGER** for Vesting Tentative Parcel Map **CO 00-0008/Coastal Development Permit**, to subdivide an approximately 12.855 square foot site into two lots of approximately 6,000 and 6,855 square feet each. Project site in the Residential Multiple Family land use category. The project is located on the western corner of Cypress Avenue and "D" Street, approximately 300 feet east of Ocean Avenue in the community of Cayucos. APN: 064-031-035, in the Estero Planning Area. County File No. S990223P/D990146V/CO 00-0008. Supervisorial District: #2.

**Thereafter, on motion of Mr. Marshall, seconded by Ms. Salo, and on the following roll call vote:**

**AYES:** Mr. Marshall, Ms. Salo, Ms. Arlin-Genet, Mr. Nall, and Chairman Euphrat  
**NOES:** None  
**ABSENT:** None

**Consent Items a, b, c, d, e, and f. are approved as recommended by the county Subdivision Review Board and are available on file at the office of the county Planning and Building Department.**

1. Continued hearing to consider a request by **EUGENE H. BARRE JR.** for Tentative Parcel Map (CO 05-0016) to subdivide an existing 5.44-acre parcel into three parcels of approximately 1.57, 1.77, 1.75 acres each for the purpose of sale and/or development and designate the project site as a TDC Receiver Site. The proposed project is within the Residential Suburban land use category and is located at 14250 San Antonio Road, on the southwestern side of San Antonio Road, approximately 1,500 feet southeast of Santa Margarita Road, southeast of the City of Atascadero, in the Salinas River planning area. Also to be considered at the hearing will be approval of the Negative Declaration prepared for the item, in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000, et seq., Mitigation measures are proposed to address biological resources. Comments will be accepted up until completion of the public hearing(s). **County File No.: SUB2004-00346**. Assessor Parcel Number: 059-141-053. Supervisorial District: 5. Date Accepted: June 3, 2005.

**Elizabeth Kavanaugh, staff:** Presents staff report. Recommends denial of project and presents new findings.

**Pamela Jardini, agent:** Addresses findings, particularly findings E, and C. Would like project to be approved.

**Fred O'Toole :** Discusses access from Carmel Road via Pasadena Road. States concerns about preserving character of neighborhood.

**Brad Taunt:** Resident in neighborhood and is in opposition to TDC sites.

**Mr. Marshall:** Would like to hear from Environmental Health regarding septic systems.

**Ms. Salo:** States there is no report on file which indicates work has been completed.

**Mr. Nall:** Discusses any other findings which need full discussion with Mr. Marshall responding regarding project meeting requirements of ordinance. States this does not guarantee approval it just guarantees a hearing with Mr. Euphrat underscoring same.

**Pamela Jardini, agent:** Discusses drainage pattern on site, septic systems, and percolation results.

**Thereafter on motion by Ms. Arlin-Genet, seconded by Ms. Salo, and unanimously carried, the Planning Commission denies this project based on the revised Findings in Exhibit A.**

2. Continued hearing to consider a request by **THOMAS GIRARD** for a Vesting Tentative Parcel Map (CO 04-0502) to subdivide an existing 41,356 square foot parcel into three parcels of 7,280 square feet, 8,322 square feet and 25,827 square feet each for the purpose of sale and/or development. The project includes off-site road improvements to Grell Lane. The proposed project is within the Residential Single Family land use category and is located on the south side of Grell Lane, approximately 1/4 mile east of Elm Street, in the community of Oceano. The site is in the San Luis Bay (Inland) planning area. Also to be considered at the hearing will be approval of the Environmental Document prepared for the item. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on November 3, 2005 for this project. Mitigation measures are proposed to address Cultural Resources, Hazards and Hazardous Materials, Public Services and Utilities, Recreation and Transportation and are included as conditions of approval. **County File No: SUB2004-00176** Assessor Parcel Number: 062-303-014, 015 Supervisorial District 4. Date Accepted: July 22, 2005.

**Stephanie Fuhs, staff:** Presents staff report.

**Tom Girard, applicant:** Requests approval of project. Discusses private agreement made with previous property owner.

**Thereafter on motion by Mr. Marshall, seconded by Ms. Arlin-Genet, and on the following roll call vote:**

**AYES:** Mr. Marshall, Ms. Arlin-Genet, Ms. Salo, Mr. Nall, and Chairman Euphrat.  
**NOES:** None  
**ABSENT:** None

**The subdivision Review Board adopts the mitigated Negative Declaration in accordance with the applicable provision of the California Environmental Quality Act, Public Resources Code Section 21000, et seq., and Document Number 2006-013 granting Vesting Tentative Parcel Map CO 04-0502 to THOMAS GIRARD based on the Findings in Exhibit A, and subject to the Conditions in Exhibit B.**

3. Hearing to consider a request by **CHARLES LITTEN** for a Tentative Parcel Map (CO 01-0067) to subdivide an existing ten acre parcel into two parcels of five acres each for the purpose of sale and/or development. The project includes off-site road improvements to Aloma Way for a trail. The proposed project is within the Residential Rural land use category and is located at 421 Aloma Way, approximately one-half mile northeast of Halcyon Road, on the Arroyo Grande/Nipomo Mesa, approximately three miles north of the community of Nipomo. The site is in the South County (Inland) planning area. Also to be considered at the hearing will be approval of the Environmental Document prepared for the item. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on January 20, 2006 for this project. Mitigation measures are proposed to address Biological Resources, Public Services and Utilities, Recreation and Traffic and Circulation and are included as conditions of approval. Anyone interested in commenting or receiving a copy of the proposed Environmental Determination should submit a written statement. Comments will be accepted up until completion of the public hearing(s). **County File No: S000274P.** Assessor Parcel Number: 075,232,024. Supervisorial District 4. Date Accepted: December 26, 2001.

**Stephanie Fuhs, staff:** Presents staff report.

**Charles Litten, applicant:** Discusses when he applied for this application, agencies he has coordinated work with, and agreements made to proceed with project.

**James Orton, County Counsel:** Would like open spaces areas shown on overhead with Ms. Fuhs responding.

**Ms. Arlin-Genet:** Cannot support project due to inconsistencies with the land use strategies set forth by the Air Pollution Control District (APCD).

**Thereafter on motion by Mr. Marshall, seconded by Mr. Nall, and on the following roll call vote:**

**AYES:** Mr. Marshall, Mr. Nall, Ms. Salo, and Chairman Euphrat  
**NOES:** Ms. Arlin-Genet  
**ABSENT:** None

**The Subdivision Review Board adopts the mitigated Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000, et seq., and Document Number 2006-014 granting Tentative Parcel Map CO 01-0067 to CHARLES LITTEN based on the Findings in Exhibit A, and subject to the Conditions in Exhibit B.**

4. Hearing to consider a request by the **ANDERSON FAMILY TRUST** for a Vesting Tentative Parcel Map to subdivide an existing 4.32-acre parcel into four parcels of 1.07 acres for the purpose of sale and/or development. The project includes off-site road improvements to Cressy Street. The project would result in the disturbance of approximately 2.0 acres of a 4.32-acre parcel. The division will not create any new roads. The proposed project is within the Residential Single Family land use category and is located on the west side of Cressy Street (at 6393 Cressy Street), immediately north of Fourth Street, approximately 350 feet northwest of Highway 229 in the community of Creston, within the El Pomar planning area. Also to be considered at the hearing will be approval of the Environmental Document prepared for the item. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on November 10, 2005 for this project. Mitigation measures are proposed to address ag resources, water, wastewater and are included as conditions of approval. **County File No: SUB2003-00307/CO05-0319**. APN: 043-071-001. Supervisorial District: 1. Date Accepted: 9/23/05. **Stephanie Fuhs, staff:** Requests continuance for James Caruso as he has left the room.

**Thereafter on motion by Mr. Nall, seconded by Ms. Arlin-Genet, and unanimously carried to continue this item to the April 3, 2006 Subdivision Review Board hearings.**

5. Hearing to consider a request by **FRANK ANDREWS** for a reconsideration of a Parcel Map (CO 89-0001) to amend the map and allow secondary dwellings on the existing parcels. The project will result in the future disturbance of approximately 0.5 acres of three parcels totaling sixteen acres. The proposed project is within the Residential Rural land use category and is located at 2700 Branch Mill Road, on the southeast corner of the intersection with Cechetti Road, approximately 2 miles northeast of the City of Arroyo Grande. The site is in the San Luis Bay (Inland) planning area. Also to be considered at the hearing will be approval of the Environmental Document prepared for the item. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on January 13, 2006 for this project. Mitigation measures are proposed to address aesthetics, biological resources, and cultural resources, and are included as conditions of approval. Anyone interested in commenting or receiving a copy of the proposed Environmental Determination should submit a written statement. Comments will be accepted up until completion of the public hearing(s). **County File Number: SUB2004-00249**. Assessor Parcel Numbers: 047-061-053, 054, 055. Supervisorial District: 4. Date Accepted: September 6, 2005.

**Brian Pedrotti, staff:** States staff recommends a continuance to 4/3/06

**Thereafter on motion by Ms. Salo, seconded by Mr. Nall, and unanimously carried to continue this item to the April 3, 2006 Subdivision Review Board hearings.**

6. Hearing to consider a request by **DWIGHT KONRAD** for a Vesting Tentative Parcel Map to subdivide an existing 15.99 acre parcel into two parcels of 8.55 and 7.42 acres each, for the purpose of sale and/or development. The project includes off-site road improvements to Homestead Road. The division will create one new on-site road. The proposed project is within the Rural Residential land use category and is located 2650 Homestead Road. The site is in the El Pomar planning area. Also to be considered at the hearing will be approval of the Environmental Document prepared for the item. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may

have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on January 3, 2006 for this project. Mitigation measures are proposed to address aesthetics, agricultural resources, public service/utilities, recreation and land use, and are included as conditions of approval. Anyone interested in commenting or receiving a copy of the proposed Environmental Determination should submit a written statement. Comments will be accepted up until completion of the public hearing(s). **County File No: SUB2004-00407.** Assessor Parcel Number: 034-461-052. Supervisorial District: 1. Date Accepted: July 1, 2005.

**Nick Forester, staff:** Presents staff report.

**James Orton, Co. Counsel:** Suggests language for Condition 12.

**Ms. Arlin-Genet:** Cannot support project due to inconsistencies with the land use strategies set forth by the Air Pollution Control District (APCD).

**Mr. Marshall:** Discusses agriculture buffer and building envelopes.

**Thereafter on motion by Mr. Marshall, seconded by Ms. Salo, and on the following roll call vote:**

**AYES:** Mr. Marshall, Ms. Salo, Mr. Nall, and Chairman Euphrat

**NOES:** Ms. Arlin-Genet

**ABSENT:** None

**The Subdivision Review Board adopts the mitigated Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000, et seq., and Document Number 2006-015 granting Vesting Tentative Parcel Map CO 05-0174 to DWIGHT KONRAD based on the Findings in Exhibit A, and subject to the Conditions in Exhibit B, adding the following sentence to the end of Condition 12. e.; Additionally, the agricultural buffer shall be shown on an exhibit attached to the CC&R's reflecting the approved tentative map, adopted.**

**Mr. Nall:** Steps down for hearing item number 6, as his wife Karen Nall is project manager for this site.

**(MR. NALL IS NOW ABSENT)**

7. Hearing to consider a request by **RICHARD AND KIMBERLY ROGERS** for a Tentative Parcel Map (CO 04-0627) using the Transfer of Development Credits program to subdivide an existing 28.03 acre parcel into two parcels of 21.03 and 7.0 acres each for the purpose of sale and/or development and designate the project site as a TDC Receiver site consistent with the planning area standard requirements. The proposed project is within the Residential Rural land use category and is located at 200 Hollyhock Lane on the southwest corner of Neals Springs Road and Hollyhock Lane, east of the community of Templeton. The site is in the El Pomar-Estrella planning area. Also to be considered at the hearing will be approval of the Environmental Document prepared for the item. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on December 29, 2005 for this project. Mitigation measures are proposed to address agriculture, biological resources, hazards, noise, public services, recreation, and land use and

are included as conditions of approval. Anyone interested in commenting or receiving a copy of the proposed Environmental Determination should submit a written statement. Comments will be accepted up until completion of the public hearing(s). **County File No: SUB2004-00345.** Assessor Parcel Number: 033-161-012. Supervisorial District: 1. Date Accepted: August 22, 2005

**Karen Nall, staff:** Presents staff report

**Mr. Marshall:** Requests clarification on whether the larger parcel can use TDC's with staff responding.

**Ms. Arlin-Genet:** Requests clarification on average parcel size as compared to neighboring parcels.

**Mike Wulkan, staff:** Discusses standards of subdivision made previously and an individual general plan amendment.

**Ms. Arlin-Genet:** Discusses 4.85 acre parcel size and measurements thereof.

**Richard Rogers, applicant:** States he operates Holly Hock Farms and discusses TDC program, economic challenges, current farming operations, and would like approval of project.

**Eric Greening:** Requests clarification on Negative Declaration mitigation check marks. Refers to TDC program as a "benign use of a disreputable program".

**Ms. Salo:** Requests clarification on eliminating smaller parcel from the TDC program with staff responding.

**Ms. Arlin-Genet:** Cannot support project due to it's incompatibility with the TDC program.

**Mr. Marshall:** States project appears to comply with rules and shares characterization made by Mr. Greening. States he will support project.

**Chairman Euphrat:** Concurs with Mr. Marshall's summary.

**Ms. Salo:** States her concerns with voting to approve this project.

**Thereafter on motion by Mr. Marshall, seconded by Ms. Salo, and on the following roll call vote:**

**AYES:** Mr. Marshall, Ms. Salo, and Chairman Euphrat

**NOES:** Ms. Arlin-Genet

**ABSENT:** Mr. Nall

**The Subdivision Review Board adopts the mitigated Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000, et seq., and Document Number 2006-016 granting Vesting Tentative Parcel Map CO 04-0627 to DWIGHT KONRAD based on the Findings in Exhibit A, and subject to the Conditions in Exhibit B.**

**(John Nall is now present)**

8. Hearing to consider a request by **STEPHEN KIRST AND DALE GUERRA** for a Lot Line Adjustment (COAL 05-0081) to adjust the lot lines between three parcels of 2.25, 323, and 140 acres each. The adjustment will result in two parcels of 355 acres and 110 acres each. The project will not result in the creation of any additional parcels. The proposed project is within the Agriculture land use category and is located at 1835 Atascadero Road (Hwy 41) and 2229 Atascadero Road approximately 2 miles east of the City of Morro Bay on Highway 41. The site is in the Estero planning area. **County File No: SUB 2005-00098** Assessor Parcel Numbers: 073-030-001, 073-069-005, 15. Supervisorial District: 2. Date Accepted: February 2, 2006

**Ryan Hostetter, staff:** Presents staff report.

**Richard Lyons:** Property owner adjacent to proposed site. States he is opposed to property line adjustment because he has concerns with further subdivisions on this land.

**Dale Guerra, applicant:** Clarifies adjustment of property and discusses agricultural uses.

**Mr. Marshall:** Discusses Mr. Lyon's testimony and his concerns regarding the parcel north of the highway.

**Thereafter on motion by Mr. Marshall, seconded by Mr. Nall, and unanimously carried, noting that finding a general rule exemption to be applicable under CEQA, and Document Number 2006-017, granting the Lot Line Adjustment COAL 05-0081 to STEPHEN KIRST AND DALE GUERRA based on the Findings in Exhibit A, and subject to the Conditions in Exhibit B.**

9. Hearing to consider a request by **MARC EISEMANN** for a Tentative Parcel Map (CO 05 0349) to subdivide an existing 2.5 acres acre parcel into two parcels of 1.5- acres and 1-acre each for the purpose of sale and/or development. The proposed project is within the Residential Suburban land use category and is located on the south side of the terminus of Casper Road, in the community of Templeton. The site is in the Salinas River planning area. This project is exempt under CEQA. **County File No: S020283P.** Assessor Parcel Number: 040-311-017. Supervisorial District: 1. Date Accepted: November 30, 2006.

**Elizabeth Kavanaugh, staff:** Presents staff report

**Chairman Euphrat:** Discusses sewer availability, with staff responding that handouts were given regarding project and community sewer and water.

**Jamie Kirk, agent:** Thanks staff for presentation.

**Thereafter on motion by Mr. Nall, seconded by Ms. Salo, and unanimously carried, to recognize the class 15 categorical exemption, and grant Tentative Parcel Map CO 05-0349 to MARC EISEMANN, based on the Findings in Exhibit A, and subject to the Conditions in Exhibit B.**

ADJOURN

Respectfully submitted

Ramona Hedges Secretary,

Subdivision Review Board